1

CLASS B

App. F IX—4

1963 (Ft-B.)

File No. AD 137

Serial Nos. FGL 63

Previous References

Later References

Agriculture & Forest Department

THE MYSORE GOVERNMENT SECRETARIAT

Serial Nos. Notings : 6
Corr. : 10

Part B for

SUBJECT

Regularisation of encroachment in S. No 118 of Kangod in Sirsi Tk

WD 09293—GPB—2,00,000—1-5-61

Food 1329/63 12/12/63

PERMIT FOR NOTE BOOK
UNDER SECRETARY
M. N. Ansari
for Under Secretary to Govt.

A
1.4.64

Vatsalaa

ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
(ಅರಣ್ಯ-೪).

Jc 20/1/64

Serial No.	
	Letter no. B3-141-GFL-1206/63-64 dt 6-9-63 of the ccf. D. no. 4194/63.
	The ccf has Subd., proposals recd., from the DC, Karwar & the DC has stated that one Sri Shivaram Narayanappa Hegde is the occupant of S. nos. 99, 100/2, 108 & 105 of Kangod village which are surrounded by F.S. no. 118 of the same village. He was found to have removed the earth from the F.S. no. & spread it over in his garden lands & planted arecanut & plantain trees in the area from which he has removed earth. The DC has recommended the regularisation of the encroachment.
✓ flag 'a'	According to para 2 of the G.O. no. AFD 6 MRP 58 dt 19-5-1958, encroachment by way of cultivation of

Note.—Contn. Sheet

forest lands as existed upto 19-5-1958 may be regularised provided the encroacher do not hold lands in excess of the economic holdings. Govt., has also directed in G.L. No. AFD 6 MRP 58 dt 30-8-61 that the term "cultivation" appearing in para 4 of the G.O. dt 19-5-58 refers to cultivation of food crops only.

Serial No.

Hence in the present case, the encroacher has planted up seedlings of Arecanut & plantain trees in the encroached area. Hence in the first instance before we take further steps to regularise the encroachment, whether the term 'cultivation' appearing in para 2 of the G.O. dt 19-5-1958 refers to garden cultivation also has to be determined.

3

We may consult (4)

Mysore Government Secretariat

File No. 137 29/86 . 63 [App. F. III 2

Serial No.

the R-D for clarification.

DR — J.J.o remarks

10/9

RD) JR 13/9/63

12/9

19.9.63.

Rev.D.

5) In the circumstances stated by the D.C. N. Kanara in his letter dt. 2.5.1963, the encroachment may be regularised. ~~because the land is suitable for cultivation of Food crops~~. Arecanut does not come under Plantation crops or Food Crops.

6) 20/9/63 pl obtain clarification from the Dist Comm

21.9.63

7) This file may be marked to M.R.At (Sri S.D) ~~K~~ section to kindly clarify whether arecanut comes under Plantation Crops.

8) 26/9/63. pl. see clause 25 of The Mysore Land Reforms Act 1961 & Arecanut does not come under plantation crops.

AD(F.D) 28.9.63 U/S Rev

9) Ref: para 8 n/7. may be referred to R.D with a request to make

and also see subject No. 20 portion marked 'A' at page 11 of proceedings of the Sirsi Conference. (Copy placed below)

30/9/67

Note.—Contd. Sheet

28 SEP 1963

AGRL. & FOREST DEPT. SECRETARIAT SECTION

available a Copy of the Mysore Land Reforms Act, 1961 for reference & for further action.

PR

30/9

J.J.O. Compliance.

RO/ JJR 5/10/63

3 1/10

Serial No.

10

Office of the Registrar A.D. Date 3 OCT 1963

MRR & Secy

The Mysore Land Reforms Act, 1961 has not yet been brought into force. In the present case, if at all the provisions of the Tenancy Act are to be applied they will be as incorporated in the B.T. & A.L. Act, 1948, a copy of which is placed below for reference and return.

11

Mr. Ramachandra to comply report

9 7/10/63

B 8/10/63

US

9/10/63

US Rev. D 10x63

A & F.D.

MYSORE GOVT. SECRETARIAT No. 1921 F 63. 11 OCT 1963 REVENUE & FOREST DEPT. (FOREST SEC.)

Sri C A 11/X

JJR 11/10/63

WD-010154—GPB—PZS—8,00,000—1-10-61

Serial No.

12) Pl. See the portion 'A' of item No. 20 and in view of the decision taken in the Sirsi Conference, we may however regularise the encroachment as recommended by the DC, Karwar for order.

* flag's

CR

18/4

Mme

19/11

A&F Dept.- Forest 'B' Section

==========

13) This is a case for regulatisation of encroachment in F.S.No.18 of Kangod in Sirsi Taluk in favour of Sri Shivaram Narayanappa Hegde. On the recommendations of D.C. N. Kanara for regularising the encroachment (which has been made about 10-15 years back) amounting to only about 9 guntas ~~made by the D.C., North Kanara~~, The C.C.F. has raised a technical objection stating that the encroachment being for cultivation of arecanut and other plantations may not come under the term cultivation ~~xxxxxxx~~ appearing in para 7 of the Government Order dated 19-5-1958. Anyhow, since as per recent Conference held at Sirsi, it has

Note.—Contn. Sheet

6 Release of Ft land — 7

AFD File No. 137 FGL of 1963.

Mysore Government Secretariat

Serial No. 1A

been agreed that such encroachment may also be brought within the purview of the spirit of the G.O., we may agree with the recommendation of the D.C., North Kanara in regularising this encroachment in the circumstances explained by him.

BR 22/11/63
(T.S.Ramaiya)
Under Secy., A&FD.

26.11

DY. SECY. (A&FD)

(16) For kind perusal & Orders
25.11

SECRETARY (A&FD)

(15) 'A' is approved
BR 30.11.63
B. BACHAIAH,
Minister for Forests,
Fisheries and Sericulture.

(14) 2.12

(6) Please put up a draft.
BR
5/12/63

(7) Ofr G.O. regularising the encroachment is put up.
BR
5/12

Draft may be approved.
BR 8/12/63

(8) 10.12

ISSUED
17/12/1963

WD. 010154—GPB—PZS—8,00,000—1-10-61

DEPUTY SECRETARY TO GOVT. NO. 7974 23 NOV 1963 AGRICULTURE & FOREST DEPTT. B

AGRICULTURE & FOREST DEPTT. No. 6186 26 NOV 1963 GOVERNMENT OF MYSORE

OFFICE OF THE MINISTER FOR FORESTS No. 7269 28 NOV 1963 BANGALORE.

AGRICULTURE & FOREST DEPTT. No. 2- DEC 1963 GOVERNMENT OF MYSORE

AGRICULTURE & FOREST DEPTT. 6518 10 DEC 1963 GOVERNMENT OF MYSORE

DEPUTY SECRETARY TO GOVT. NO. 8521 9 DEC 1963 AGRICULTURE & FOREST DEPTT. B

8
1

No.B3-141-GFL-1204/63-64 Office of the
Encl. on file. Chief Conservator of Forests
To in Mysore, Bangalore Dated 6-9-63

The Secretary to Government
Agriculture and Forest Department
Bangalore.

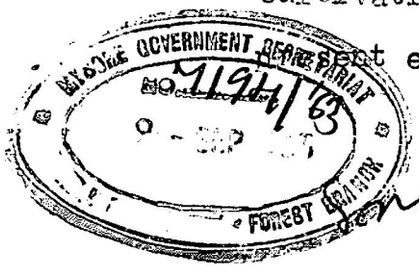
Sub: Regularisation of encroachment in F.S.NO.118 of Kangod in Sirsi Taluk. Sri.Shivaram Narayanarpa Hegde.

--

I enclose herewith the correspondence ending with letter No.RB-FOR-SR-1391 dated 14-5-63 from the Divisional Commissioner, Belgaum on the above subject for perusal.

7/9/63

According to para 2 of the Government Order No.AFD 6 MRP 58 dated 19-5-58 encroachments by way of cultivation of forest lands (as existing unto 19-5-58) may be regularised provided the encroachers do not hold lands in excess of economic holdings. Government in their order No.AFD 6 MRP 58. dated 30-8-61 have clarified that the term "cultivation " appearing in para 7 of the Government Order dated 19-5-58. refers to cultivation of food crops only. But in the present case the encroacher has planted up seedlings of Arecanuts and plantations in the encroached area. However if the Government decides that the term " Cultivation " appearing in para 2 of the Government Order dated 19-5-58 refers to garden cultivation also then there is no objection to regularise the present encroachment.



Yours faithfully,

Chief Conservator of Forests.

6/9

9

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To

The Secretary to Government,
Agricultural & Forest Department,
Mysore, Bangalore.

No. LND-III-7-SR-484 Karwar, 2-5-1963.

Sir,

Subject:- Regularisation of encroachment in F.S.No. 118 of Kangod in Sirsi Taluka.

In submitting herewith papers of the case ending with endorsement No. FOR-SR-265 of 8-4-1963 from the Assistant Commissioner, Sirsi Division, I have to state as under :-

2. In this case, the Assistant Commissioner, Sirsi Division has submitted proposals for regularisation of the encroachments in F.S.No. 118 of Kangod village, Taluka Sirsi. The facts of the case are :

3. One Shivaram Narnappa Hegde is the occupant of S.Nos. 99, 100/2, 108 and 105 of Kangod village which are surrounded by F.S.No. 118 of the same village. He was found to have removed the earth from the said F.S.No. and spread it over in his gardan lands and planted arecanut and plantain trees in the area from which he had removed earth. The encroachment was made about 10 to 15 years back.

4. In the correspondence that ensued it transpired that there is no objection to the regularisation of the encroachments. The Forest authorities have however consulted as regards regularisation. The Divl.Forest Officer, E.D. has observed that there would have been no objection for the regularisation of the encroachment according to the orders in para 2 of the G.O.No. AFD 6 MRP 58 of 19-5-1958. He is however doubtful whether cultivation of garden crop would come within the purview of cultivation as the land has not been used for growing food crops in view the amplification given by the Chief Conservator. The Conservator too has said that the regularisation of encroachment cannot be considered but in view of the developments already made he has proposed to refer the matter to Government.

5. Reference is invited to the P.C. enclosed. It would appear that the encroachment is in four patches and roughly comes to 0-9-0 gunthas. The Forest Department does not seem to have taken into account the encroachment adjacent to S.No. 114. Whatever may be the clarification given by the Chief Conservator there is nothing in para 2 of G.O.No. AFD 6 MRP 58 of 11-5-1958 that garden cultivation would not amount to cultivation of land. It may be pointed out here that a patch of land adjacent to a garden S.No. which is at the level of the garden land will not be useful for growing food crops. Raising of garden too would be comprised in the term cultivation and so I see no reason why any differenciation should be made between cultivation of foodcrops and cultivation of garden crop.

If this view is accepted, the Government may kindly be moved to accord sanction to regularise the encroachment.

Yours faithfully,

Deputy Commissioner, N.Kanara

Submitted through the Divisional Commissioner, Belgaum.

10

No.RB/FOR/SR-1391.
Belgaum. 14-5-1963.

Forwarded with compliments to the Secretary to Government, Agriculture & Forests Department, Bangalore agreeing with the Deputy Commissioner, North Kanara's proposals.

2) The connected records may kindly be returned to the Deputy Commissioner, N.Kanara, direct when done with.

O.C.signed by the Divl.Commissioner.

for 1415

For.Divl.Commissioner, Belgaum.

THROUGH the Chief Conservator of Forests in Mysore, Bangalore with compliments.

Office of the Chief Conservator of Forests in Mysore, Bangalore.

Dte

Secretariat

13

CWB 394/4659

17 MAY 1963

1815

1815

M. G. S. App. F VI—G. 2]

(2)

b II

SUBJECT Regularisation of encroachments — Requisition of Sr. Supdt

Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

File No.

( )

the 196 .

Proceedings of the Government of Mysore

Date of issue..... 196

Read— Letter no. LRD.111. Y-SR-484 dt 2-5-63 of the DC, Karwar

2) Endt. no. RB/FOR-SR-1391 dt 14-5-1965 of the Addl. Commr., Belgm

Signed by.....

ISSUED

Date 17/12/1963

Order thereon.—No.

3) Letter no. B3-141-LEL-1204/63-64 dt 6-9-63 of the CCF

no. AD 134 FMC 63 dt

The DC has

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

subd. proposals re. grant of land in favour of Sr. Shivaram ~~narayan~~ naranappa Hegde and has stated that the applicant is the occupant of S.nos. 99, 100/2, 108 + 105 of Kangod village which are surrounded by F.S.no. 118 of the village. It is also reported by the DC that the Applicant has removed the earth from the F.S.no. 118 + List of Enclosures & spread it over in his garden lands & planted arecanut & plantain trees in the area from which he has removed the earth. ~~It is~~ the encroached area comes to about 9 gunthas. The DC has however required for regularisa-

Copied by
Examined by

WD 09414—GPB—PZS—1,00,000—31-5-61

M. G. S. App. F VI—G. 2]

SUBJECT.....

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Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

File No.

( )
the 196 .

Proceedings of the Government of Mysore

Date of Issue.....196 .

Read

Signed by.....

Order thereon.—No.

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

tion of the encroa-
chment I has
required orders
of Govt., for
the release of
the area in
favour of the
Applicant, the
encroacher
The Asst Comr
of the ce have
no objn to
the proposal of
the D.C, Kanwar
in view of

the recommendations made, Govt are pleased to agree to the proposal & accords sanction for the regularisation of the encroachment and the ccf is directed to take further action in this behalf

B.O. dtd
28/
21/5/47

ccf
addl Comm'r. Mgm
Dy. Pr-K. (with c.ps)
C.F. Mgm
R.D
w/f.

List of Enclosures.

Copied by

Examined by

WD 09414—GPB—PZS—1,00,000—31-5-61

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9

PROCEEDINGS OF THE GOVERNOR OF MYSORE

Sub: Regularisation of encroachment - Request of Sri K.N. Raghu.

ORDER NO. AFD 137 FOR 65

BANGALORE DATED THE 17th DECEMBER 1965

READ:-

Letter No.DNB-III-7-[illegible]-65 dated 2-5-1965 from the Deputy Commissioner, Hassan.

2. Endorsement No.RE/[illegible]-[illegible]-1391 dated 14-5-1965 of the Divisional Commissioner, Belgaum.

3. Letter No.B-141-[illegible]-1304/63-64 dated 6-9-1965 from the Chief Conservator of Forests in Mysore, Bangalore.

PROPOSAL:-

The Deputy Commissioner, has submitted proposals regarding grant of land in favour of Sri Shivanna Hanumappa Raghu and has stated that the applicant is the occupant of R.S.No.99, 100/2, 104 & 105 of Kongal Village which are surrounded by P.F.No.118 of the village. It is also reported by the Deputy Commissioner that the applicant has removed the earth from the P.F.No.118 and spread it over in his private lands and planted arecanut and plantain trees in the area from which he has removed the earth and the encroached area comes to about 2 gunta. The Deputy Commissioner has however recommended for regularisation of the encroachment and has requested orders of Government for the same in favour of the applicant, the encroacher.

The Divisional Commissioner and the Chief Conservator of Forests have no objection to the proposal of the Deputy Commissioner, Hassan.

ORDER

In view of the recommendations made, Government are pleased to agree to the proposal and accord sanction for the regularisation of the encroachment and the Chief Conservator of Forests is directed to take further action in this behalf.

By Order and in the name of the Governor of Mysore,

J.S.Ramaiya
(J.S. Ramaiya),
Under Secretary to Government,
Agriculture and Forest Department.

ISSUED
Date 17/12/1965

To

The Chief Conservator of Forests in Mysore, Bangalore.

The Divisional Commissioner, Belgaum Division, Belgaum.

The Deputy Commissioner, North Kanara(with case papers)

The Conservator of Forests, Belgaum.

Copy to Weekly Gazette.

[illegible]/10

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10

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub: Regularisation of encroachment - Request of Sri S.N. Hegde.

ORDER NO. AFD 137 FOL 65

BANGALORE DATED THE 17th DECEMBER 1965

READ:-

Letter No.DKD-(II-7-65-485 dated 2-3-1965 from the Deputy Commissioner, Karwar.

2. Endorsement No.DB/ACR-CR-1321 dated 14-5-1965 of the Divisional Commissioner, Belgaum.

3. Letter No.B-141-CFL-1204/65-66 dated 6-9-1965 from the Chief Conservator of Forests in Mysore, Bangalore.

PROPOSAL:-

The Deputy Commissioner, has submitted proposals regarding grant of land in favour of Sri Shivaram Ramappa Hegde and has stated that the applicant is the occupant of R.S.Nos.99, 100/2, 102 & 103 of Kangal Village which are surrounded by F.C.No.118 of the village. It is also reported by the Deputy Commissioner that the applicant has removed the earth from the F.C.No.118 and spread it over in his garden lands and planted areca nut and plantain trees in the area from which he has removed the earth and the encroached area comes to about 2 guntas. The Deputy Commissioner has however recommended for regularisation of the encroachment and has requested orders of Government for the area in favour of the applicant, the encroacher.

The Divisional Commissioner and the Chief Conservator of Forests have no objection to the proposal of the Deputy Commissioner, Karwar.

ORDER

In view of the recommendations made, Government are pleased to agree to the proposal and accord sanction for the regularisation of the encroachment and the Chief Conservator of Forests is directed to take further action in this behalf.

By Order and in the name of the Governor of Mysore,

J. S. Ramaiya
(J.S. Ramaiya),
Under Secretary to Government,
Agriculture and Forest Department.

To

The Chief Conservator of Forests in Mysore, Bangalore.

The Divisional Commissioner, Belgaum Division, Belgaum.

The Deputy Commissioner, North Kanara(with case papers)

The Conservator of Forests, Belgaum.

Copy to Weekly Gazette.

AGRI/10